

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 MITCHELL LYNN ATTERBERRY,)
)
 Defendant.)

No. 12-4053-01-CR-C-BP

REPORT AND RECOMMENDATION CONCERNING PLEA OF GUILTY

Defendant Mitchell Lynn Atterberry, by consent, appeared before the undersigned on August 15, 2013, pursuant to Rule 11 of the Federal Rules of Criminal Procedure, Local Rule 72(c)(1)(j), and 28 U.S.C. § 636, and has entered a plea of guilty to Counts One, Two, Four and Five of the Superseding Indictment filed on December 13, 2012. After cautioning and examining the defendant, under oath, in accordance with the requirements of Rule 11, it was determined that the guilty plea was made with full knowledge of the charges and the consequences of pleading guilty, was voluntary, and that the offenses to which the defendant has plead guilty are supported by a factual basis for each of the essential elements of the offenses.

IT IS, THEREFORE, RECOMMENDED that the plea of guilty be accepted and that defendant Mitchell Lynn Atterberry be adjudged guilty and have sentence imposed accordingly.

Failure to file written objections to this Report and Recommendation within fourteen (14) days from the date of its filing will bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).

Dated this 15th day of August, 2013, at Jefferson City, Missouri.

/s/ *Matt J. Whitworth*
MATT J. WHITWORTH
United States Magistrate Judge